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**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.**

Issued by the Department of Transportation
on the 17th day of March, 2000

Served: March 17, 2000

Application of

ALLEGiant AIR, INC.

for a certificate of public convenience and necessity
under 49 U.S.C. 41102 to engage in interstate scheduled
air transportation of persons, property, and mail

Docket OST-99-6263 - 4

**ORDER ISSUING EFFECTIVE CERTIFICATE
AND CONFIRMING ORAL ACTION**

By Order 2000-1-14, served January 20, 2000, the Department found that Allegiant Air, Inc., was fit, willing, and able to conduct interstate scheduled passenger air transportation and issued to it a certificate authorizing it to engage in such operations.

The authority granted by this certificate was to become effective on the sixth (business) day after we had received, among other things, a copy of Allegiant Air's Air Carrier Certificate and Operations Specifications from the Federal Aviation Administration (FAA) authorizing it to engage in scheduled passenger service, and a description of any fitness-related changes the company had undergone since the date of the order in this case.

On March 7, 2000, Allegiant Air provided evidence that it had received the appropriate FAA authority to conduct scheduled passenger operations and stated that it had not undergone any fitness-related changes since the issuance of Order 2000-1-14. In addition, the carrier provided verification that it continued to have available to it sufficient financial resources.¹ Further, Allegiant Air requested that the Department grant it a waiver from the standard six-day waiting period and make the certificate authority granted by Order 2000-1-14 effective immediately.

¹ Allegiant Air provided verification that it continued to have available a \$6.0 million line-of-credit.

Our review of the documents submitted found them to be satisfactory. Hence, on March 8, 2000, we notified Allegiant Air that we were making its section 41102 certificate effective on that same date. By this order, we confirm our oral action making Allegiant Air's interstate scheduled certificate authority effective and reissue to the carrier this authority to reflect its March 8, 2000, effective date.

ACCORDINGLY, Acting under authority assigned by the Department in its Regulations, 14 CFR 385.12(a)(5)(iv) and (b)(1):

1. We confirm our oral action of March 8, 2000, making the section 41102 interstate scheduled certificate authority issued to Allegiant Air, Inc., effective on that same date.
2. We reissue to Allegiant Air, Inc., the interstate scheduled passenger section 41102 certificate issued to it by Order 2000-1-14, in the attached form to reflect its effective date.
3. Should Allegiant Air, Inc., propose to operate more than 4 aircraft, we direct it to notify the Department in writing at least 45 days prior to the proposed operation and demonstrate its fitness to conduct such operations before their commencement.
4. We will serve a copy of this order on the persons listed in Attachment A.

Persons entitled to petition the Department for review of this order under the Department's Regulations, 14 CFR 385.30, may file their petitions within 10 days of the service date of this order.

The action confirmed in this order was effective when taken and the filing of a petition for review shall not alter its effectiveness.

By:

Randall D. Bennett
Acting Director
Office of Aviation Analysis

(SEAL)

*An electronic version of this document is available on the World Wide Web at:
<http://dms.dot.gov>*



**Certificate of Public Convenience and Necessity
for
Interstate Air Transportation**

(as reissued)

This Certifies That

ALLEGIANT AIR, INC.

is authorized, subject to the provisions of Subtitle VII of Title 49 of United States Code, the orders, rules, and regulations issued thereunder, and the attached Terms, Conditions, and Limitations, to engage in interstate air transportation of persons, property, and mail.

This Certificate is not transferable without the approval of the Department of Transportation.

By Direction of the Secretary

*Issued by Order 2000-3-11
On March 17, 2000
Effective on March 8, 2000*

*Randall D. Bennett
Acting Director
Office of Aviation Analysis*



Terms, Conditions, and Limitations

ALLEGiant AIR, INC.

is authorized to engage in interstate air transportation of persons, property, and mail between any point in any State, territory, or possession of the United States or the District of Columbia, and any other point in any of those entities.

This authority is subject to the following provisions:

- (1) The holder shall at all times conduct its operations in accordance with the regulations prescribed by the Department of Transportation for the services authorized by this certificate, and with such other reasonable terms, conditions, and limitations as the Department of Transportation may prescribe in the public interest.*
- (2) The holder's authority under this certificate is effective only to the extent that such operations are also authorized by the Federal Aviation Administration.*
- (3) The holder shall at all times remain a "Citizen of the United States" as required by 49 U.S.C. 40102(a)(15).*
- (4) The holder shall maintain in effect liability insurance coverage as required under 14 CFR Part 205. Failure to maintain such insurance coverage will render a certificate ineffective, and this or other failure to comply with the provisions of Subtitle VII of Title 49 of the United States Code or the Department's regulations shall be sufficient grounds to revoke this certificate.*
- (5) The holder may reduce or terminate service at any point or between any two points, subject to compliance with the provisions of 49 U.S.C. 41734 and all orders and regulations issued by the Department of Transportation under that section.*
- (6) The holder may not provide scheduled passenger air transportation to or from Dallas (Love Field), Texas, except within the limits set forth in section 29 of the International Air Transportation Competition Act of 1979, as amended by section 337 of the Department of Transportation and Related Agencies Appropriations Act, 1998.*

** This certificate is being reissued to reflect its effective date.*

(7) *Should the holder propose any substantial changes in its ownership, management, or operations (as that term is defined in 14 CFR 204.2(l)), it must first comply with the requirements of 14 CFR 204.5.*

(8) *In the event that the holder ceases the operations for which it was found "fit, willing, and able," its authority under all certificates held shall be suspended under the terms of 14 CFR 204.7 and the holder may neither recommence nor advertise such operations unless its fitness to do so has been redetermined by the Department. Moreover, if the holder does not resume operations within one year of its cessation, its authority shall be revoked for dormancy.*

SERVICE LIST FOR ALLEGIANT AIR, INC.

Attachment

AARON A GOERLICH
BOROS & GAROFALO
1201 CONNECTICUT AVE NW
STE 700
WASHINGTON DC 20036

RICHARD DUTTON AFS-900
ASST MANAGER
FAA CSET
45005 AVIATION DR STE 203B
DULLES VA 20166-7537

AMERICAN ASSOC OF
AIRPORT EXEC
4224 KING STREET
ALEXANDRIA VA 22302

MITCHELL H ALLEE
CHIEF EXEC OFFICER
ALLEGIANT AIR INC
4955 E ANDERSON AVE
SUITE 120
FRESNO CA 93727

PETER LYNCH AGC-300
ASST CHIEF COUNSEL
FOR ENFORCEMENT
FEDERAL AVIATION ADMIN
800 INDEPENDENCE AVE SW
WASHINGTON DC 20591

MGR FLIGHT STANDARDS DIV
FAA AWP200
WESTERN PACIFIC REGION HDQ
PO BOX 92007
WORLD POSTAL CENTER
LOS ANGELES CA 90009

TIM CARMODY K-25
DIR OFFICE OF AIRLINE INFO
DEPT OF TRANSPORTATION
400 SEVENTH ST SW
WASHINGTON DC 20590

REGIONAL COUNSEL
FAA AWP7
WESTERN PACIFIC REGION HDQ
PO BOX 92007
WORLD POSTAL CENTER
LOS ANGELES CA 90009

JONI MOUNT
OFFICIAL AIRLINE GUIDES
2000 CLEARWATER DR
OAK BROOK IL 60521

JAMES B WILLIAMS
POI FOR ALLEGIANT AIR
FAA FSDO
4955 E ANDERSON AVE STE 110
FRESNO CA 93727

JIM ZAMMAR
DIR OF REV ACCOUNTING
AIR TRANSPORT ASSOC
STE 1100
1301 PENNSYLVANIA AVE NW
WASHINGTON DC 20004

ALAN MUTEN
AST TREASURER STE 800
AIRLINES REPORTING CORP
1530 WILSON BLVD
ARLINGTON VA 22209

JD MEALOR
AIRLINE DATA COORDINATOR
INNOVATA LLC
3915 OLD MUNDY MILL RD
OAKWOOD GA 30566-3410